

Remarks/Arguments

Specification

The specification has been amended to correct a minor typographical error.

Claim Summary

New claims 6 and 7 are added.

Claims 1-7 are pending in the application.

Claim Rejections - 35 USC § 102

Claims 1 and 3 were rejected under §102(b) as being anticipated by Yukio (JP6-177141).

The Examiner alleges that all the features of claim 1 and 3 are disclosed by Yukio. However, claim 1 of the present application recites in part that a heating or cooling device 3 is *integral* with a heat transfer plate 20.

In addition, claim 1 recites in part “spacers being supported in [an] apparatus in such a way that heights of projections provided by the spacers, as *taken from [an] upper surface of [a] heat transfer plate*, can be individually adjusted[.]” (Emphasis added.) In other words, the (1) *spacers are individually adjusted (2) at the upper surface* of the heat transfer plate.

Yukio discloses a heating stage 12 vis-à-vis the Applicants' heat transfer plate 3, but it *does not disclose* a heating or cooling device as being *integral* with a heat transfer plate. See paragraph [0018]. Yukio further discloses that a supporting pin 13 is adjusted NOT at an upper surface of the heating stage 12, but adjusted *below* the heating stage 12. Even further, Yukio discloses that a height of the supporting pin 13 is adjusted by a piezoelectric unit 17, not that the supporting pin 13, itself, is adjustable.

For at least the reasons stated above, Yukio does not anticipate claims 1 and 3. Therefore, claims 1 and 3 are patentable over Yukio.

Claim Rejections - 35 USC § 103(a)

Claims 2, 4 and 5 were rejected under §103(a) as being unpatentable over Yukio in view of Kyung et al. (US 5,778, 969).

The Examiner alleges that Yukio teaches all the claimed limitations except for a plurality of guide pins. However, Kyung et al. teaches a plurality of guide pins extending from an upper surface of a heat transfer plate.

Notwithstanding the comments above regarding the Examiner's §102 rejection, in the Kyung et al. reference, the only analogous element to the heat transfer plate 3 of the present invention is a clamp 31. Column 3, lines 66-67. However, as can be seen from FIG. 7A, the body of clamp 31 is a hollow cylinder. Clamp 31 *does not* have a plurality of guide pins. If there is *no plurality of guide pins*, then there are no spacers and annular fitted members.

The Applicants respectively submit that even if the teachings of both Yukio and Kyung et al. are combined, the combination would not disclose all the features of claims 2 and 4-5. Therefore, claims 2 and 4-5 define over Yukio and Kyung et al. individually or in combination.

Conclusion

No other issues remain, reconsideration and favorable action upon claims 1-7 present in the application are requested.

Respectfully submitted,

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